

By:       

S.J.R. No. 40

A JOINT RESOLUTION

1 proposing a constitutional amendment clearing land titles by  
2 relinquishing and releasing any state claim to sovereign ownership  
3 or title to interest in certain land.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article VII, Texas Constitution, is amended by  
6 adding Section 2C to read as follows:

7 Sec. 2C. (a) The State of Texas relinquishes and releases  
8 any claim of sovereign ownership or title to an interest in and to  
9 the tracts of land, including mineral rights, described as follows:

10 Tract 1:

11 The first tract of land is situated in Upshur County, Texas,  
12 about 14 miles South 30 degrees east from Gilmer, the county seat,  
13 and is bounded as follows: Bound on the North by the J. Manning  
14 Survey, A-314 the S.W. Beasley Survey A-66 and the David Meredith  
15 Survey A-315 and bound on the East by the M. Mann Survey, A-302 and  
16 by the M. Chandler Survey, A-84 and bound on the South by the G. W.  
17 Hooper Survey, A-657 and by the D. Ferguson Survey, A-158 and bound  
18 on the West by the J. R. Wadkins Survey, A-562 and the H. Alsup  
19 Survey, A-20, the David Ferguson Survey, A-158, the Sarah Harrell  
20 Survey A-200 and by the W. Bratton Survey, A-57 and the G. H.  
21 Burroughs Survey, A-30 and the M. Tidwell Survey, A-498 of Upshur  
22 County, Texas.

23 Tract 2:

24 The second tract of land is situated in Smith County, Texas,

1 north of Tyler and is bounded as follows: on the north and west by  
2 the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9,  
3 A-7, A-19, and the H. Jacobs A-504 and on the south and east by the  
4 following surveys: John Carver A-247, A. Loverly A-609, J. Gimble  
5 A-408, R. Conner A-239, N.J. Blythe A-88, N.J. Blythe A-89, J.  
6 Choate A-195, Daniel Minor A-644, William Keys A-527, James H.  
7 Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

8 (b) This section is self-executing.

9 SECTION 2. This proposed constitutional amendment shall be  
10 submitted to the voters at an election to be held November 8, 2005.  
11 The ballot shall be printed to permit voting for or against the  
12 proposition: "The constitutional amendment providing for the  
13 clearing of land titles by relinquishing and releasing any state  
14 claim to sovereign ownership or title to interest in certain land in  
15 Upshur County and in Smith County."

## **BILL ANALYSIS**

Senate Research Center  
79R3906 PAM-D

S.J.R. 40  
By: Eltife  
Natural Resources  
4/5/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Subchapter E, Chapter 51, Natural Resources Code, has been effective since 1900 and is commonly referred to as the vacancy clause. It was intended to deal with strips of land which fell between surveyed parcels of land when the state originally patented the land. Since this "vacant" land was never patented, it still technically belongs to the state. The statute sets out a process to determine whether land is vacant. An applicant who believes he or she has located vacant land must file an application with the General Land Office. The commissioner of the General Land Office (commissioner) then determines whether a vacancy exists, and the matter may be appealed in court. If the land is ultimately declared vacant, the applicant receives a 1/16th royalty for the minerals that lie under the vacant land.

The property rights of thousands of Texans are being affected by a vacancy application filed in 1997 in Upshur County. The application claimed that an entire 4,600-acre survey was vacant land. This application affects a large number of property owners: more than 1,000 surface owners and more than 2,000 mineral interest owners. In this specific case, the commissioner ruled that the land was not vacant. The applicants appealed the commissioner's ruling to the district court, and the commissioner's ruling was upheld. The parties agreed not to appeal, and the case was considered closed. However, some title companies are continuing to put exceptions in title opinions.

In 2003, a vacancy application for approximately 900 acres of land was filed in Smith County. The commissioner determined that no vacancy existed in the case, and that decision is pending been appeal in district court.

S.J.R. 40 proposes a constitutional amendment to clear the titles for the surface and mineral owners in the Smith and Upshur vacancies.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article VII, Texas Constitution, by adding Section 2C, as follows:

Sec. 2C. (a) Provides that the State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to two tracts of land, including mineral rights. Sets forth the descriptions of tract 1 and tract 2.

(b) Provides that this section is self-executing.

SECTION 2. Requires the submission to the voters of a constitutional amendment at an election to be held on November 8, 2005. Sets forth the required language for the ballot.

By: Eltife S.J.R. No. 40  
(In the Senate - Filed March 11, 2005; March 23, 2005, read first time and referred to Committee on Natural Resources; April 11, 2005, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; April 11, 2005, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.J.R. No. 40 By: Jackson

SENATE JOINT RESOLUTION

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Sec. 2C. (a) Except as provided by Subsection (b) of this section, the State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to the tracts of land, including mineral rights, described as follows:

Tract 1:

The first tract of land is situated in Upshur County, Texas, about 14 miles South 30 degrees east from Gilmer, the county seat, and is bounded as follows: Bound on the North by the J. Manning Survey, A-314 the S.W. Beasley Survey A-66 and the David Meredith Survey A-315 and bound on the East by the M. Mann Survey, A-302 and by the M. Chandler Survey, A-84 and bound on the South by the G. W. Hooper Survey, A-657 and by the D. Ferguson Survey, A-158 and bound on the West by the J. R. Wadkins Survey, A-562 and the H. Alsup Survey, A-20, and by the W. Bratton Survey, A-57 and the G. H. Burroughs Survey, A-30 and the M. Tidwell Survey, A-498 of Upshur County, Texas.

Tract 2:

The second tract of land is situated in Smith County, Texas, north of Tyler and is bounded as follows: on the north and west by the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9, A-7, A-19, and the H. Jacobs A-504 and on the south and east by the following surveys: John Carver A-247, A. Loverly A-609, J. Gimble A-408, R. Conner A-239, N.J. Blythe A-88, N.J. Blythe A-89, J. Choate A-195, Daniel Minor A-644, William Keys A-527, James H. Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

(b) This section does not apply to:

(1) any public right-of-way, including a public road right-of-way, or related interest owned by a governmental entity;

(2) any navigable waterway or related interest owned by a governmental entity; or

(3) any land owned by a governmental entity and reserved for public use, including a park, recreation area, wildlife area, scientific area, or historic site.

(c) This section is self-executing.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 8, 2005. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment providing for the clearing of land titles by relinquishing and releasing any state claim to sovereign ownership or title to interest in certain land in Upshur County and in Smith County."

\* \* \* \* \*

FAVORABLY AS SUBSTITUTED  
SENATE COMMITTEE REPORT ON

SB SCR

(SJR)

SR

HB

HCR

HJR

40

By

EHF  
(Author/Senate Sponsor)

4/14/05  
(date)

We, your Committee on NATURAL RESOURCES, to which was referred the attached measure,  
have on 4/5/05, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed  
☒ the caption remained the same as original measure  
☐ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Armbrister, Chair	<input checked="" type="checkbox"/>			
Senator Jackson, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Duncan	<input checked="" type="checkbox"/>			
Senator Estes	<input checked="" type="checkbox"/>			
Senator Fraser	<input checked="" type="checkbox"/>			
Senator Hinojosa			<input checked="" type="checkbox"/>	
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Madla	<input checked="" type="checkbox"/>			
Senator Seliger	<input checked="" type="checkbox"/>			
Senator Staples			<input checked="" type="checkbox"/>	
TOTAL VOTES	<u>9</u>			

COMMITTEE ACTION

S260 Considered in public hearing  
S270 Testimony taken

Kelly C. Milhant  
COMMITTEE CLERK

Ken Oriskany  
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute  
Retain one copy of this form for Committee files

WITNESS LIST

SJR 40

SENATE COMMITTEE REPORT

Natural Resources

April 5, 2005 - 1:30PM

ON: Patterson, Jerry Land Commissioner (General Land Office), Austin, TX  
Rogers, Dwain (General Land Office), Austin, TX

Registering, but not testifying:

For: Hodges, Ken (Texas Farm Bureau), Austin, TX

On: Aston, LaNell (General Land Office), Austin, TX

## **BILL ANALYSIS**

Senate Research Center  
79R11565 PAM-D

C.S.S.J.R. 40  
By: Eltife  
Natural Resources  
4/8/2005  
Committee Report (Substituted)

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SECTION 1. Amends Article VII, Texas Constitution, by adding Section 2C, as follows:

Sec. 2C. (a) Provides that, except as provided by Subsection (b) of this section, the State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to two tracts of land, including mineral rights. Sets forth the descriptions of tract 1 and tract 2.

(b) Sets forth property to which this section does not apply.

(c) Provides that this section is self-executing.

SECTION 2. Requires the submission to the voters of a constitutional amendment at an election to be held on November 8, 2005. Sets forth the required language for the ballot.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 8, 2005**

**TO:** Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SJR40** by Eltife ( Proposing a constitutional amendment clearing land titles by relinquishing and releasing any state claim to sovereign ownership or title to interest in certain land.),  
**Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated, other than the cost of publication.**

The cost to the state for publication of the resolution is \$66,497.

The resolution proposes a constitutional amendment relinquishing claims of State ownership or title to certain tracts of land, including mineral rights, in Upshur and Smith Counties.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 305 General Land Office and Veterans' Land Board

**LBB Staff:** JOB, WK, ZS, JF



**LEGISLATIVE BUDGET BOARD**

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# REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN  
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SJR 40, by Elie,  
(Bill No.) (Author/Sponsor)

was heard by the Committee on Natural Resources on 4/5,  
2005,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Holly Gullet  
(Clerk of the reporting committee)

**IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.**

ADOPTED

31-0  
APR 14 2005

*Lotay Spaul*  
Secretary of the Senate

By: *Ebb*

S.J.R. No. 40

Substitute the following for S.J.R. No. 40:

By: *Jackson*

C.S. S.J.R. No. 40

SENATE

X JOINT RESOLUTION

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21 Burroughs Survey, A-30 and the M. Tidwell Survey, A-498 of Upshur  
22 County, Texas.

23 Tract 2: 1/2

24 The second tract of land is situated in Smith County, Texas,

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2 the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9,  
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4 following surveys: John Carver A-247, A. Loverly A-609, J. Gimble  
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6 Choate A-195, Daniel Minor A-644, William Keys A-527, James H.  
7 Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

8 (b) This section does not apply to:

9 (1) any public right-of-way, including a public road  
10 right-of-way, or related interest owned by a governmental entity;

11 (2) any navigable waterway or related interest owned  
12 by a governmental entity; or

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20 proposition: "The constitutional amendment providing for the  
21 clearing of land titles by relinquishing and releasing any state  
22 claim to sovereign ownership or title to interest in certain land in  
23 Upshur County and in Smith County."

Engrossed April 14, 2005  
Morde Alexander  
Engrossing Clerk

I certify this to be a true and correct  
copy of the indicated document as  
referred or transmitted to committee.

Chief Clerk of the House

By: Eltife  
(Hughes)

S.J.R. No. 40

SENATE JOINT RESOLUTION

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**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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**April 8, 2005**

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**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

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**Source Agencies:** 305 General Land Office and Veterans' Land Board

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# HOUSE COMMITTEE REPORT

05 APR 28 PM 3:02

HOUSE OF REPRESENTATIVES

1<sup>st</sup> Printing

By: Eltife  
(Hughes)

S.J.R. No. 40

## SENATE JOINT RESOLUTION

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# COMMITTEE REPORT

The Honorable Tom Craddick  
Speaker of the House of Representatives

04-26-2005  
(date)

Sir:

We, your COMMITTEE ON LAND AND RESOURCE MANAGEMENT

to whom was referred SJR 40 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.  
☐ do pass, with amendment(s).  
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.  
☒ yes ☐ no A fiscal note was requested.  
☐ yes ☒ no A criminal justice policy impact statement was requested.  
☐ yes ☒ no An equalized educational funding impact statement was requested.  
☐ yes ☒ no An actuarial analysis was requested.  
☐ yes ☒ no A water development policy impact statement was requested.  
☐ yes ☒ no A tax equity note was requested.  
☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor HUGHES

Joint Sponsors: \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Mowery, Chair	✓			
Harper-Brown, Vice-chair	✓			
Blake, Jr.	✓			
Cook	✓			
Escobar	✓			
Leibowitz	✓			
Miller	✓			
Orr	✓			
Pickett	✓			

Total

9 aye  
0 nay  
0 present, not voting  
0 absent

CHAIR

Anna Mowery

## **BILL ANALYSIS**

S.J.R. 40  
By: Eltife  
Land & Resource Management  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The vacancy statute (Section 11.084 et seq, Natural Resources Code) has been on the books since 1900. It was designed to deal with strips of land that fell in between tracts when the state originally patented the land. Since this "vacant" land was never patented, it still technically belongs to the state. The statute sets out a process to determine whether land is vacant. One who believes he has located vacant land (referred to as an applicant) files an application with the General Land Office (GLO). The GLO determines whether a vacancy exists, and if the GLO rules that the land is vacant, the applicant receives a 1/16th royalty in the minerals under the vacant land. Due to a gross misapplication of the vacancy statute, the property rights of thousands of Texans are being clouded.

A vacancy application has been filed in Upshur County (Northeast Texas) claiming that an entire 4,600 acre survey is vacant land. In the history of the vacancy statute, there have been larger tracts, but this application affects by far the largest number of property owners (over 1,000 surface owners and over 2,000 mineral interest owners). The GLO ruled in 2004 that the land was not vacant. Unfortunately, the applicants have appealed the GLO's ruling to district court, and as a result, the affected property owners' title is clouded pending the litigation. It will take months or even years for this case to make its way through the courts.

The purpose of SJR 40 is to clear the titles to the land and mineral owners in this 4,600 acre tract.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

#### **SECTION 1.**

*Amends Article VII, Texas Constitution, by adding Section 2C, as follows:*

Requires the State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to the land, including mineral rights, described in Section 2C (located in Upshur and Smith counties).

#### **SECTION 2.**

States that the proposal shall be submitted to the voters at an election on November 8, 2005.

### **EFFECTIVE DATE**

Upon passage by the voters in the November 8, 2005, election.

## SUMMARY OF COMMITTEE ACTION

SJR 40

April 26, 2005

upon final adjourn./recess

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Considered in formal meeting

Reported favorably without amendment(s)

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 26, 2005**

**TO:** Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE:** SJR40 by Eltife (Proposing a constitutional amendment clearing land titles by relinquishing and releasing any state claim to sovereign ownership or title to interest in certain land.), As Engrossed

<p><b>No fiscal implication to the State is anticipated, other than the cost of publication.</b></p>
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<p>The cost to the state for publication of the resolution is \$66,497.</p>
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The resolution proposes a constitutional amendment relinquishing claims of State ownership or title to certain tracts of land, including mineral rights, in Upshur and Smith Counties.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 305 General Land Office and Veterans' Land Board

**LBB Staff:** JOB, WK, ZS, JF

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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**April 8, 2005**

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**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 4, 2005**

**TO:** Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SJR40** by Eltife (Proposing a constitutional amendment clearing land titles by relinquishing and releasing any state claim to sovereign ownership or title to interest in certain land.), **As Introduced**

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S.J.R. No. 40

SENATE JOINT RESOLUTION

proposing a constitutional amendment clearing land titles by relinquishing and releasing any state claim to sovereign ownership or title to interest in certain land.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VII, Texas Constitution, is amended by adding Section 2C to read as follows:

Sec. 2C. (a) Except as provided by Subsection (b) of this section, the State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to the tracts of land, including mineral rights, described as follows:

Tract 1:

The first tract of land is situated in Upshur County, Texas, about 14 miles South 30 degrees east from Gilmer, the county seat, and is bounded as follows: Bound on the North by the J. Manning Survey, A-314 the S.W. Beasley Survey A-66 and the David Meredith Survey A-315 and bound on the East by the M. Mann Survey, A-302 and by the M. Chandler Survey, A-84 and bound on the South by the G. W. Hooper Survey, A-657 and by the D. Ferguson Survey, A-158 and bound on the West by the J. R. Wadkins Survey, A-562 and the H. Alsup Survey, A-20, and by the W. Bratton Survey, A-57 and the G. H. Burroughs Survey, A-30 and the M. Tidwell Survey, A-498 of Upshur County, Texas.

Tract 2:

1        The second tract of land is situated in Smith County, Texas,  
2 north of Tyler and is bounded as follows: on the north and west by  
3 the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9,  
4 A-7, A-19, and the H. Jacobs A-504 and on the south and east by the  
5 following surveys: John Carver A-247, A. Loverly A-609, J. Gimble  
6 A-408, R. Conner A-239, N.J. Blythe A-88, N.J. Blythe A-89, J.  
7 Choate A-195, Daniel Minor A-644, William Keys A-527, James H.  
8 Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

9        (b) This section does not apply to:

10            (1) any public right-of-way, including a public road  
11 right-of-way, or related interest owned by a governmental entity;

12            (2) any navigable waterway or related interest owned  
13 by a governmental entity; or

14            (3) any land owned by a governmental entity and  
15 reserved for public use, including a park, recreation area,  
16 wildlife area, scientific area, or historic site.

17        (c) This section is self-executing.

18        SECTION 2. This proposed constitutional amendment shall be  
19 submitted to the voters at an election to be held November 8, 2005.  
20 The ballot shall be printed to permit voting for or against the  
21 proposition: "The constitutional amendment providing for the  
22 clearing of land titles by relinquishing and releasing any state  
23 claim to sovereign ownership or title to interest in certain land in  
24 Upshur County and in Smith County."

S.J.R. No. 40

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President of the Senate

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Speaker of the House

I hereby certify that S.J.R. No. 40 was adopted by the Senate on April 14, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

I hereby certify that S.J.R. No. 40 was adopted by the House on May 9, 2005, by the following vote: Yeas 143, Nays 0, two present not voting.

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Chief Clerk of the House

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

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**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

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**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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Chief Clerk of the House

*Eley*

proposing a constitutional amendment clearing land titles by relinquishing and releasing any state claim to sovereign ownership or title to interest in certain land.

MAR 11 2005

MAR 23 2005

Filed with the Secretary of the Senate

Read and referred to Committee on NATURAL RESOURCES

Reported favorably

APR 11 2005

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

APR 14 2005

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

\_\_\_\_ years, \_\_\_\_ nays

APR 14 2005

Read second time, \_\_\_\_\_, and ordered engrossed by:

unanimous consent

viva voce vote

\_\_\_\_ years, \_\_\_\_ nays

APR 14 2005

Senate and Constitutional 3 Day Rule suspended by a vote of 30 yeas, 1 nays.

APR 14 2005

Read third time, \_\_\_\_\_, and passed by: 31 yeas, 0 nays

*Latay Spaw*  
 SECRETARY OF THE SENATE

## OTHER ACTION:

April 14, 2005 Engrossed

Sent to House

Engrossing Clerk

*Mardi Cleland*

APR 18 2005

Received from the Senate

APR 19 2005

Read first time and referred to Committee on Land and Resource Management

APR 20 2005

Reported \_\_\_\_\_ favorably (~~as amended~~) (~~amended~~)

MAY 02 2005

Sent to Committee on Calendars

MAY 09 2005

Read second time (~~comm. sub.~~) (~~amended~~) and adopted (~~passed to third reading~~) by a record vote of 143 yeas, 0 nays, 2 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting

MAY 09 2005

Returned to Senate.

*Robert Haney*

CHIEF CLERK OF THE HOUSE

MAY 09 2005

Returned from House without amendment.

Returned from House with \_\_\_\_\_ amendments.

Concurred in House amendments by a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays.



\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

OTHER ACTION:

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

05 APR 28 PM 3: 02  
HOUSE OF REPRESENTATIVES